

THE KENTUCKY BOARD OF LICENSURE FOR PRIVATE INVESTIGATORS

Minutes January 31, 2008

A regular Board Meeting of the Kentucky Board of Licensure for Private Investigators was held at the Board offices, Division of Occupations and Professions, 911 Leawood Drive, Frankfort, KY on Thursday January 31, 2008.

MEMBERS PRESENT

Rick Hessig, Chairman
Roger McDonald
Jim Ringo
Mike Ober
Gary Tinker
William Witten

OCCUPATIONS & PROFESSIONS STAFF

Adriana Lang, Board Administrator
Wendy Satterly, Division Supervisor
Susan Ellis, Fiscal Supervisor

MEMBERS UBSENT

Mary Pederson

OTHERS PRESENT

Diane Fleming, Attorney

CALL TO ORDER

The Chairman, Mr. Rick Hessig, called the meeting to order at 1: 15 p.m.

ELECTION OF OFFICERS

The Board held its annual election for a Chairman. Mr. Michael Ober nominated Mr. Rick Hessig as the Board's Chairman, the nomination seconded by Mr. Gary Tinker. Mr. Mike Ober made a motion to elect Mr. Rick Hessig as the Chairman of the Board. The motion, seconded by Mr. Gary Tinker, carried. Mr. Rick Hessig was elected the Chairman for the year of 2008.

The Board held its annual election for a Vice-Chairman. No nominations were officially made. The Board agreed to defer the nomination for a Vice-Chairman until the next scheduled meeting.

The Board held its annual election for a Secretary Treasurer. Sheriff William Witten nominated Mr. Jim Ringo as the Board's Secretary Treasurer; the nomination seconded by Mr. Gary Tinker. Sheriff Witten made a motion to elect Mr. Jim Ringo as the Board's Secretary Treasurer. The motion seconded by Mr. Gary Tinker, carried. Mr. Jim Ringo was elected the Secretary Treasurer for the year of 2008.

APPROVAL OF MINUTES

The minutes of the December 6, 2007 meeting was called to the attention of the members. A motion was made by Mr. Mike Ober to approve the minutes, the motion, seconded by Mr. Roger McDonald, carried.

FINANCIAL STATEMENT

The Board reviewed the Financial Statement indicating a balance of \$84,401.51 from July 1, 2007 to November 30, 2007, and \$85,443.21 from July 1, 2007 to December 31, 2007. A motion was made by Mr. Jim Ringo to accept the Financial Statements. The motion, seconded by Mr. Roger McDonald, carried.

ATTORNEY REPORT- LEGAL MATTERS

Ms. Diane Fleming provided the Board updates on the ongoing draft of the 201 KAR 41:070, 201 KAR 41:065, 201KAR 41:060. A motion was made by Mr. Mike Ober to approve revisions and filing of the 201 KAR 41:070. The motion, seconded by Mr. Gary Tinker, carried. Ms. Fleming stated that she would make the revisions and e-mail copies to the Board members before the next meeting.

Ms. Diane Fleming provided the Board a copy of a dismissal letter that she mailed to one of the licensees involved on the complaint 07-001.

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ATTORNEY REPORT- LEGAL MATTERS CONTINUED

Ms. Fleming provided the Board a copy of the letter that she mailed to Rodney Brock/ All points investigations regarding the inactive status request and Peter Wilkins/ Inspectaclaim, LLC. Ms. Fleming stated that she would bring an update to the next meeting.

Ms. Diane Fleming provided the Board a copy of a Cease and Desist letter that she mailed to Eric Lakes/ Cyber Agents, Inc.

Ms. Diane Fleming provided the Board a copy of a Cease and Desist letter that she mailed to Brian Finney and Whitehall Bureau, Inc.

Ms. Diane Fleming informed the Board that letters to Michael Kessler, George Nemecek, Diane Patterson, Barbara Peyton, Thomas Welby and Mike Worley were not mailed. She stated that she was going to work on those letters and bring an update to the next meeting.

Ms. Fleming informed the Board that she would work on the letters for the complaint number 07-002 and would bring an update to the next meeting.

Ms. Diane Fleming stated that she would check her files to see the status of the James Skees' case and would bring an update to the next meeting.

Ms. Diane Fleming provided the Board an update on the hearing for Rick Everroad. The Board authorized Ms. Fleming to schedule Mr. Everroad's hearing for March 27, 2008 at 11:00 a.m. Ms. Fleming stated that she would check the hearing officer's schedule and would bring an update to the next meeting.

Ms. Diane Fleming provided the Board an update on the hearings for the licensees that failed to provide proof of insurance. Ms. Fleming stated the correspondences regarding those hearings would be forwarded to the Board's office to be placed in the licensees' file.

OLD BUSINESS

The Board reviewed correspondence received from Terry Meyer regarding complaint number 07-002. Ms. Diane Fleming stated that she would send a response to Mr. Meyer and would bring an update to the next scheduled meeting.

NEW BUSINESS

The Board reviewed correspondence received via e-mail from Larry Larsen.

The Board reviewed an e-mail from the fiscal section stating that effective January 1, 2008 the mileage reimbursement is .43 cents per mile.

The Board reviewed correspondence received from Phil Kelley regarding Scott Farrell practicing in the Commonwealth of Kentucky without holding a license. Mr. Mike Ober made a motion to Ms. Diane Fleming send Mr. Farrell a Cease and Desist letter. The motion, seconded by Mr. Jim Ringo, carried.

The Board reviewed correspondence received from the International Association of Security and Investigative Regulators (IASIR) regarding the annual membership renewal. Mr. Jim Ringo made a motion to approve the Board's full membership. The motion, seconded by Mr. Mike Ober, carried.

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NEW BUSINESS CONTINUED

The Board reviewed correspondences received from Schroeder Measurement Technology (SMT) stating that effective February 1, 2008 CompUSA would be closed, no longer administer the private investigator exam, and provided a list of new exam sites available. The Board agreed that the list of exam sites meets the Board's requirement as long as the exam sites are currently available to the applicants approved for the exam, meanwhile, they did not agree to allow SMT to grant exam extensions to applicants. They agreed that they will approve exam extension requests on a case by case basis, only upon a request by the applicant. The Board also reviewed a request for an extension for Mr. Gregory Cook and agreed to give him a 30 days extension for the PI exam. The Board requested their administrator to contact SMT to inform them of their decision and to invite their representatives to attend next scheduled meeting on February 28, 2008 for discussion of the PI exam processing and revision of the exam contract.

The Board reviewed their Board member Code of Ethics. Mr. Mike Ober made a motion to defer the Code of Ethics until the next scheduled Board meeting. The motion, seconded by Mr. Roger McDonald, carried.

Mr. Gary Tinker provided the Board a copy of the draft of the KRS 329A.010 to 329A.090 for review.

Mr. Jim Ringo made a motion to approve the Continuing Education requests from today's meeting. The motion, seconded by Mr. Roger McDonald, carried.

APPLICATION REVIEW COMMITTEE

The Chairman, Mr. Rick Hessig, gave the following report from the Application Review Committee. The Board accepted Mr. Hessig report as follows:

INDIVIDUALS APPROVED WITH PROVISIONS: *Amy Carroll, Neil Gilreath, John Gray, Terry Hood, Eric Jackson, Ryan Neace, Kermit Perden, Michael Presson, Anthony Roman, Randy Schield, Kata Shera and Marvin Watson.*

INDIVIDUALS DENIED: *Brian Wong.*

COMPANY APPROVED: *Capinvad, LLC.*

COMPANY APPROVED WITH PROVISIONS: *A.C. Roman and Associates, Inc., Bluegrass Investigations, LLC., Four Rivers Associates, LLC., Haney and Associates, LLC., Rimkus Consulting Group, Inc.,*

INDIVIDUALS APPROVED BY RECIPROCITY: *Joel Haney, Glenda Haney and Ronald Kopp.*

REINTATEMENT: *Christopher Hopkins.*

TRAVEL AND PER DIEM

A motion was made by Mr. Mike Ober to approve payment of travel expenses and per diem compensation for eligible members in attendance at today's meeting. Motion, seconded by Mr. Roger McDonald, carried.

ADJOURNMENT

The Chairman, Mr. Rick Hessig, informed the Board that the next meeting is scheduled for Thursday, February 28, 2008, at 01:00 p.m., the Application Review Committee Meeting at 10:00 p.m. Having no further business to be brought before the Board, a motion was made by Mr. Mike Ober to adjourn. Motion seconded by Mr. Jim Ringo, carried. The meeting adjourned at 3:40p.m.

APPROVED